



## UNITED STATES PATENT AND TRADEMARK OFFICE

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*L. Flatt*

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,406	04/13/2004	Matthew X. Jecker	578-5-1

Jonathan A. Bay  
Suite 314  
333 Park Central East  
Springfield, MO 65806



CONFIRMATION NO. 3236

## FORMALITIES LETTER



\*OC000000013066745\*

Date Mailed: 06/25/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$450** for a Small Entity

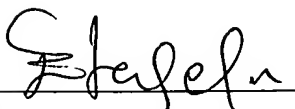
- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

08/31/2004 BABRAHA1 00000111 10823406

01 FC:2004 385.00 OP  
02 FC:2051 65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in cursive script, appearing to read "Stefeln", written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Matthew X. JECKER

Application No.: 10/823,406

Examiner: not yet known

Filed: April 13, 2004

Art Unit: 3751

For: CONCRETE MIX COUNTERTOP PRODUCTION AND  
PRODUCTS

TRANSMITTAL LETTER

CERTIFICATE UNDER 37 CFR 1.8(a)  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE  
ADDRESSED TO THE ASSISTANT P.O. Box 1450,  
Alexandria, VA 22313-1450

ON 8-25-04

Jonathan Bay  
REGISTRATION NO. 35064

DATE 8-25-04

**MS Missing Parts**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Please find enclosed for filing:

- ☒ Response to Notice of Missing Parts.
- ☒ Copy of *Notice to File Missing Parts of Application - Filing Date Granted* (eg., form PTO-1533).
- ☒ Declaration/Power of Attorney (**signed**)
- ☒ Applicant claims small entity status under 37 C.F.R. §1.27.
- ☐ Assignment of the invention to , Cover Sheet & check for \$  
*Please return the recorded assignment to the undersigned.*
- ☐ Supplemental Information Disclosure Statement, PTO-1449 and copies of the references.
- ☐ Petition for Extension of Time under 37 C.F.R. 1.136(a);
- ☒ Preliminary Amendment.

CLAIMS ON FILE

FOR	NO. FILED	NO. EXTRA
Basic Fee		
Total claims	- 1 -	0
Indep claims	- 1 -	0
multiple dependent claims present? No.		

If the difference in Col. 1 is less than zero,  
enter "0" in Col. 2

SMALL ENTITY

RATE	FEE
	\$ 385
X \$	\$
X \$	\$
X \$	\$
TOTAL	\$ 385

Other than a  
Small Entity

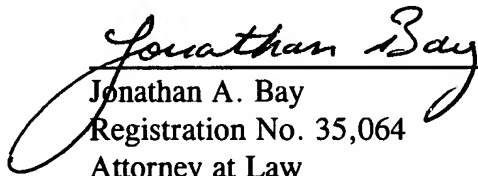
RATE	FEE
	\$ 770
X \$	\$
X \$	\$
X \$	\$
TOTAL	\$

✓ A check in the amount of \$ 450.00, which is calculated per following items:  
\$ 385.00.....for basic application filing fee per above fee table; and,  
\$ 65.00.....for surcharge for *Response to Notice of Missing Parts*.

✓ Other: Return Postcard.

Respectfully submitted,

Date: 8-25-04

  
Jonathan A. Bay  
Registration No. 35,064  
Attorney at Law  
333 Park Central East, Ste. 314  
Springfield, MO 65806  
(417) 873-9100

Docket No. 578-5-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Matthew X. JECKER

Application No.: 10/823,406

Examiner: not yet known

Filed: April 13, 2004

Art Unit: 3751

Fee: CONCRETE MIX COUNTERTOP PRODUCTION AND PRODUCTS

RESPONSE TO NOTICE OF MISSING PARTS

CERTIFICATE UNDER 37 CFR 1.8(a)  
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Alexandria, VA 22313-1450

ON 8-25-04  
Jonathan A. Bay  
REGISTRATION NO. 35064  
DATE 8-25-04

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts, mailed June 25, 2004 (a copy of which is enclosed), applicant submits herewith the signed Declaration and fee for the official filing fee for a small entity. The returned Declaration (with signature here) is identical to that attached to the application filed April 13, 2004, except with various matters of priority data lined out by strike-out markings, in some cases changed by insertions, as reference thereto will more clearly show, and which completes the priority data for this application. I.e., it is a continuation of U.S. Pat. App. No. 10/823,409, filed April 12, 2004, which claims the benefit of U.S. Prov. Pat. App. No. 60/462,051, filed April 11, 2003. A Preliminary Amendment herewith changes the specification.

The surcharge required by Rule 16 for this *RESPONSE TO NOTICE OF MISSING PARTS* is included in the fees submitted. Applicant claims small entity status under 37 C.F.R. §1.27.

Respectfully submitted,

Date: 8-25-04

Jonathan A. Bay  
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Registration No. 35,064  
Attorney at Law  
333 Park Central East, Suite 314  
Springfield, MO 65806  
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Docket No. 578-5-1